



**National Rural Electric
Cooperative Association**

A Touchstone Energy® Cooperative 

May 23, 2005

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

RE: Amendment of Part 90 of the Commission's Rules to Provide for Flexible Use of the 896-901 MHz and 935-940 MHz Bands Allotted to the Business and Industrial Land Transportation Pool, & Opposition and Petitions for Reconsideration of 900 MHz Band Freeze Notice; FCC Docket Nos. WT Docket No. 05-62 and DA 04-3013

Dear Secretary Dortch:

This letter is to express NRECA's agreement with the comments of the Association of American Railroads, American Petroleum Institute, MRFAC, Inc., National Association of Manufacturers, and United Telecom Council (Joint Parties) and our support of the alternatives and modifications to the Commission's proposals offered in the Joint Parties' comments filed in the above referenced dockets. NRECA is the not-for-profit, national service organization representing 930 rural electric systems, a number of which operate within the affected 900 MHz frequencies. Most NRECA members qualify as "small" utilities as defined by the Small Business Administration in 13 C.F.R. § 121.201.

NRECA feels strongly that the Commission must not allow the interference being experienced in the 800 MHz band to migrate to the 900 MHz band by opening up these traditional, private use frequencies to commercial use without adequate safeguards.

Further, NRECA urges the Commission to give due consideration to the public safety functions performed by the critical infrastructure entities in this band and adopt the Joint Parties' proposal for a set-aside of 99 existing B/ILT channels for traditional B/ILT users with continued site-based licensing rights. NRECA also supports the Joint Parties' proposed modifications to the Commission's auction rules that would provide for meaningful participation in the process by small businesses.

Sincerely,

/s/

Counsel

Wallace F. Tillman
Vice President, Energy Policy & General

4301 Wilson Boulevard ♦ Arlington, VA 22203-1860 ♦ www.nreca.org